

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Wesley S. Battey, Jr.,

Case No.: 2:18-cv-01362-JAD-PAL

Plaintiff

V.

Jason Spurling,

Defendant

**Order Adopting
Report & Recommendation and
Dismissing Case.**

[ECF No. 5]

Plaintiff Wesley S. Battey Jr. brings this civil-rights action against Las Vegas

Metropolitan Police Officer Jason Spurling and other doe defendants based on an alleged false arrest. Battey did not pay the filing fee or apply to proceed *in forma pauperis*, so Magistrate Judge Leen recommended on October 4, 2018, that I dismiss this action without prejudice.¹ Battey's time to object expired without response. “[N]o review is required of a magistrate judge's report and recommendation unless objections are filed.”² Having reviewed the R&R, I find good cause to adopt it, and I do.

Accordingly, IT IS HEREBY ORDERED that THIS ACTION IS DISMISSED WITHOUT PREJUDICE to plaintiff's ability to commence a new action in which he either pays the filing fee in full or submits a completed application to proceed *in forma pauperis*. The Clerk of Court is directed to CLOSE THIS CASE.

Dated: October 22, 2018

U.S. District Judge Jennifer A. Dorsey

¹ ECF No. 5.

²⁷ ²⁸ ² *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).